

REMARKS

Claims 8, 42 and 43 currently appear in this application. The Office Action of July 6, 2005, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicants respectfully request favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Claims 8, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asada et al. (EP 0 870 839) in view of Asada et al. (*Journal of Biochemistry* 1998; Vol. 123, pages 1041-1047) and further in view of Kubota et al. and Qin et al. The Examiner has interpreted applicant's claims as "an effective amount for transfecting a cell at a site of vascularization in vivo."

This rejection is respectfully traversed. Claim 8 has been amended to recite that human umbilical vein endothelial cells are used as vehicles. Support for this amendment can be found in the specification as filed at page 19, lines 1-14. None of the cited references discloses or suggests using human umbilical vein endothelial cells as vehicles for gene transfer. As described in the specification at page 19, lines 8-14, "A vascular endothelial cell has a nature of accumulating specifically at a site at which a blood vessel

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Amd. dated September 29, 2005
Reply to Office Action of July 6, 2005

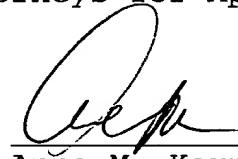
is newly formed. Targeting of a gene using a vascular endothelial cell as a vehicle can be conducted using this nature."

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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